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OFFICE OF THE SECRETARY
FEDERAL MARITIME COMMISSION

June 21, 2013

**VIA EMAIL (secretary@fmc.gov),
(judges@fmc.gov)****Marc J. Fink**
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Karen V. Gregory, Secretary
Office of the Secretary
Federal Maritime Commission
Room 1046
800 North Capitol Street, N.W.
Washington, D.C. 20573-0001

Re: Mitsui O.S.K. Lines, Ltd. v. Global Link Logistics, et al.
Federal Maritime Commission: Docket No. 09-01
Our file: 275609

Dear Ms. Gregory:

We are attorneys representing Complainant Mitsui O.S.K. Lines, Ltd. ("MOL") in the above captioned matter currently pending in the Federal Maritime Commission.

Please find enclosed an original and five (5) copies of Complainant's Response to Olympus Respondents' Response in Opposition to Relief Requested in Complainant's Opposition Dated June 12, 2013.

A PDF copy of each pleading has been emailed to both secretary@fmc.gov and judges@fmc.gov.

Kindly arrange to stamp a conformed copy for our files. Our messenger has been instructed to wait.

If you have any questions, please do not hesitate to contact us.

Karen V. Gregory
June 21, 2013
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We thank the Commission for its attention and courtesies, and remain,

Sincerely,

COZEN O'CONNOR

A handwritten signature in black ink, appearing to read "Marc J. Fink", with a stylized flourish at the end.

By: Marc J. Fink

MJF/jmb
Enclosures

Karen V. Gregory

June 21, 2013

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cc:

VIA EMAIL ONLY (w/ encls.)

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BEFORE THE
FEDERAL MARITIME COMMISSION

2013 JUN 21 PM 6:08

OFFICE OF THE SECRETARY
FEDERAL MARITIME COMMISSION

Docket No. 09 -01

MITSUMI O.S.K. LINES LTD.

COMPLAINANT

v.

**GLOBAL LINK LOGISTICS, INC., OLYMPUS PARTNERS, OLYMPUS GROWTH
FUND III, L.P., OLYMPUS EXECUTIVE FUND, L.P., LOUIS J. MISCHIANI, DAVID
CARDENAS, KEITH HEFFERNAN, CJR WORLD ENTERPRISES, INC. AND CHAD J.
ROSENBERG**

RESPONDENTS

**COMPLAINANT'S RESPONSE TO OLYMPUS RESPONDENTS' RESPONSE IN
OPPOSITION TO RELIEF REQUESTED IN COMPLAINANT'S OPPOSITION DATED
JUNE 12, 2013**

Complainant Mitsui O.S.K. Lines, Ltd. ("MOL") hesitates to file yet another pleading, but feels compelled to do so in response to Olympus Respondents' repeated violations of the Commission's Rules. On May 24, 2013, Olympus Respondents filed their Motion to Strike Allegedly False Statements dated May 24, 2013. On June 5, 2013, Olympus Respondents filed their Statement Confirming the Record of this Proceeding. In both cases, MOL duly responded. Most recently, on June 14, 2013, Olympus Respondents have filed another pleading entitled Response in Opposition to Relief Requested in Complainant's Opposition dated June 12, 2013. The June 14th pleading adds nothing new to the record and merely duplicates Olympus Respondents' prior May 24th application. Pursuant to Rule 69(d), the June 14th pleading should

be rejected on its face. *See* 46 C.F.R. Sec. 502.69(e) (“A repetitious motion will not be entertained.”).

As the responding party, MOL has been exercising its right to have the last word in accordance with the Rules. *See* 46 C.F.R. Sec. 502.69(f) (“Any party may file and serve a response to any written motion, pleading, petition, application, etc. . . .”). The May 24th, June 5th and June 14th papers represent Olympus Respondents’ attempt to always have the last word, irrespective of the situation. Such conduct should not be permitted.

Under the circumstances, MOL respectfully urges the Presiding Officer to direct Olympus Respondents not file any further pleadings absent his express permission.

Respectfully submitted,



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Attorneys for Mitsui O.S.K. Lines, Ltd.

Dated: June 21, 2013

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the following individual(s) via electronic mail:

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